

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 24 and 25 are currently being amended. No new matter has been added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate status identifier.

After amending the claims as set forth above, claims 1, 2, 5-20, 22, and 24-29 are now pending in this application.

1. Rejection of Claims 1, 2, 5-20, 22, and 24-29 Under 35 U.S.C. § 103(a) as Being Unpatentable Over Mitsugi in View of Kakiyama et al.

In Section 4 of the Office Action, claims 1, 2, 5-20, 22, and 24-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mitsugi (U.S. Patent No. 5,353,023) in view of Kakiyama et al. (U.S. Patent No. 6,959,282).

Mitsugi is directed to a navigation system for cars that is intended to estimate the location of a car, determine whether the car has been in an accident, and record various other information related to the car (e.g., voices or speech generated within the car). Col. 3, lines 43-68.

Kakiyama et al. is directed to a charging device that facilitates the determination of tolls for vehicles based upon the location and movement of the vehicle, where the location of the vehicle may be determined using a system such as a GPS system. Col. 37, line 62 to col. 38, line 18. The toll is typically charged for vehicles to use certain roadways and may be based upon the type of vehicle and the distance traveled. Col. 1, lines 26-29.

In the Office Action, the Examiner stated:

Mitsugi fails to explicitly disclose wherein said the pricing system configured to price or sell the insurance product (or company), based on the data (or based on the location of the object or car).

However, Kakihari discloses a toll collection arrangement based on the position and travel of a vehicle. A charging information for the vehicle is created based on the position of a moving body as well as buffer areas and map information, then even if there are detection errors in the detection of the position of the vehicle (see., abstract, col 2, lines 42-62). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the navigation system for cars of Mitsugi by including an insurance product or company that is connected to the navigation system as taught by Kakihari [] since it is an alternate means for acquiring insurance information about the location of a car/object.

Office Action at pages 3-4.

Applicants respectfully submit that, contrary to the assertion in the Office Action and as further discussed below, any proper combination of Mitsugi and Kakihari et al. fails to disclose at least one limitation of each of the claims rejected under 35 U.S.C. § 103(a).

Claim 1 recites a combination including, among other elements, “a pricing system in communication with the data collection system, the pricing system configured to price or sell the insurance product, based on the data,” which Mitsugi and Kakihari et al., alone or in any proper combination, fail to teach or suggest. Specifically, the cited references fail to disclose a “pricing system configured to price or sell the insurance product, based on the data.” (emphasis added). Applicants have found no portions of Mitsugi or Kakihari et al., cited by the Examiner or otherwise, that teach or suggest a pricing system configured to price or sell insurance products based on locational data of the product being insured. Applicants therefore submit that Mitsugi and Kakihari et al., alone or in any proper combination, fail to teach or suggest at least one limitation of independent claim 1. Accordingly, Applicants respectfully request that the rejection of independent claim 1, and corresponding dependent claims 2, 5-9, 26, and 27, under 35 U.S.C. § 103(a) be withdrawn.

Claim 10 recites a combination including, among other elements, “a pricing system in communication with the data collection system, the pricing system configured to price or sell the insurance product, based on the data including the location of the object,” which is not taught or suggested by Mitsugi or Kakihari et al., alone or in any proper combination. As discussed above with respect to claim 1, Applicants have found no portions of Mitsugi or Kakihari et al., cited by the Examiner or otherwise, that teach or suggest a pricing system configured to price or sell insurance products based on locational data of the product being insured. Applicants therefore submit that Mitsugi and Kakihari et al., alone or in any proper combination, fail to teach or suggest at least one limitation of independent claim 10. Accordingly, Applicants respectfully request that the rejection of independent claim 10, and corresponding dependent claims 11-15, under 35 U.S.C. § 103(a) be withdrawn.

Claim 16 recites a combination including, among other elements, “determining whether terms of the product warranty have been altered based on the comparison,” where the comparison is performed between operational data related to the use of the product and at least one operational specification related to use of the product, which is not taught or suggested by Mitsugi or Kakihari et al., alone or in any proper combination. Specifically, Mitsugi and Kakihari et al. fail to teach or suggest making any determination regarding a product warranty based on comparing operational data and operational specifications for the product. Neither of the cited references is directed to or related to product warranties or monitoring product warranties. Applicants therefore submit that Mitsugi and Kakihari et al., alone or in any proper combination, fail to teach or suggest at least one limitation of independent claim 16. Accordingly, Applicants respectfully request that the rejection of independent claim 16, and corresponding dependent claim 17, under 35 U.S.C. § 103(a) be withdrawn.

Claim 18 recites a combination including, among other elements, “generating the price of the insurance product based on the information in the database,” which is not taught or suggested by Mitsugi or Kakihari et al., alone or in any proper combination. As discussed above with respect to claim 1, Applicants have found no portions of Mitsugi or Kakihari et al., cited by the Examiner or otherwise, that teach or suggest generating a price for an insurance product. Applicants therefore submit that Mitsugi and Kakihari et al., alone or in

any proper combination, fail to teach or suggest at least one limitation of independent claim 18. Accordingly, Applicants respectfully request that the rejection of independent claim 18, and corresponding dependent claims 19, 20, 22, 28, and 29, under 35 U.S.C. § 103(a) be withdrawn.

Claim 24 has been amended to recite a combination including, among other elements, “a receiver configured to continuously receive data relating to an insurance product at predetermined periodic intervals, the insurance product insuring an object, the receiver receiving the data representative of the location of the object,” which is not taught or suggested by Mitsugi or Kakihari et al., alone or in any proper combination. Specifically, neither Mitsugi nor Kakihari et al. teaches or suggests “an insurance product,” as is required by independent claim 24. Therefore, Applicants submit that Mitsugi and Kakihari et al., alone or in any proper combination, fail to teach or suggest at least one limitation of independent claim 24. Accordingly, Applicants respectfully request that the rejection of independent claim 24 under 35 U.S.C. § 103(a) be withdrawn.

Claim 25 has been amended to recite a combination including, among other elements, “determine whether terms of the product warranty have been breached based on the comparison,” where the comparison is performed between data related to the state of an object and data related to a warranty, which is not taught or suggested by Mitsugi or Kakihari et al., alone or in any proper combination. Specifically, Mitsugi and Kakihari et al. fail to teach or suggest making any determination regarding a product warranty based on comparing object data and warranty data. Neither of the cited references is directed to or related to product warranties or monitoring product warranties. Applicants therefore submit that Mitsugi and Kakihari et al., alone or in any proper combination, fail to teach or suggest at least one element of independent claim 25. Accordingly, Applicants respectfully request that the rejection of independent claim 25 under 35 U.S.C. § 103(a) be withdrawn.

2. Amendments to Claims 24 and 25

Claims 24 and 25 are currently being amended. Applicants point out that claims 24 and 25 have been amended for clarity only, and not for reasons or purposes related to patentability of the claims. No new matter has been added.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date 2/21/2006

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